

February 25, 2014

TO: Chairman Dovilla and Members of the House Policy and Legislative Oversight Committee

FROM: Daniel P. Troy, Lake County Commissioner

IN RE: Support for HB 240

Chairman Dovilla, Vice Chair Buchy, Ranking Minority Member Gerberry, and Members of the House Policy and Legislative Oversight Committee:

Thank you for the opportunity to testify today. My name is Daniel Troy. I am a Lake County Commissioner, a member of the County Commissioners Association Ohio Board of Directors, former Association President of the CCAO, and I served as co-chair of the Ohio Commission on Local Government Reform and Collaboration. I am also a former member of the Ohio House of Representatives. I also served as a panelist for both of then Secretary of State Brunner's Elections Summits in 2008 and 2009. Among the many recommendations for cost saving measures that came out of the latter Summit was one calling for the movement of special elections to primary or general election days and saving taxpayers the millions of dollars in costs necessary in conducting those specials. I am here to offer my support for HB 240, a measure that would do just that by altering Ohio law and eliminating the current allowance for special elections in February and August.

As I've stated in the past, county commissioners don't run elections, and we have no interest in doing so. What we are responsible for, however, is making sure that they're paid for, and that has become an increasingly challenging task in recent years. Not only have our economic realities caused that, but also increased hours for early voting, increased postage for non-fault absentee voting, increased training requirements for poll-workers, advanced election machinery and maintenance contract costs, and poll worker compensation. Despite these concerns, we truly understand that the core of our American democracy is what happens on Election Day, and that core must be maintained and properly underwritten. The problem we have, Mr. Chairman and Members of the Committee, is that we have TOO MANY of those election days every year, and in most cases, the level of democratic participation (i.e. turnout) in the ones we have in February and August is almost contrary to that core principle of our democracy. Should the goal of these special elections in February and in August be to chase down the fewest number of voters? I believe our founders conceived a system in which we have regularly scheduled, periodic and highly visible elections for our citizens to choose our government representatives, and, as spelled out in many state Constitutions, certain policies and spending authority. I believe the current practice we permit in Ohio encourages the latter to choose the former.

Our CCAO platform advocates for curtailed special elections, or, in the absence of their elimination, a requirement that the political jurisdiction calling such election pre-pay the county general fund for the election costs in advance. Current law requires the county general fund to finance the cost of the election right now, and then get reimbursed (but only for those costs the ORC allows) from next year's tax settlements to that political subdivision.

Very few of our counties and their general funds are in a position these days to play the bank on these costs. But, let's analyze this regardless of when the bills get paid. The expenditure is an extra cost paid for out of the tax revenues of the very entity that is asking for additional tax revenues in this process. I've often said that a tax expenditure paid by someone else other than your particular entity does not make an unwise expenditure a wise one.

The usual argument against eliminating special elections is that it compromises the ability of schools and other entities to address their fiscal needs. I find that a disingenuous argument, in that those entities can still go on the ballot twice every year (in the even numbered years there is an official state primary in early March or early May; in the odd-numbered years an early May election is legally considered and termed a special election, but this bill does not eliminate that). Let's be clear, whatever is approved by the voters in terms of increased property taxes in one calendar year is not collectible until the next, so there is no fiscal penalty or loss of revenue to that entity by waiting until a regularly scheduled election day later that year. And, why do so many of these entities need these special elections and their inherent high costs in advance of the regularly scheduled ones merely to ask for levy renewals?

I do not envy the burden of boards of education in occasionally having to ask the citizens of their district for increased tax revenues. But, we have all heard from citizens inquiring as to why they see the same levy requests coming back to the ballot numerous times in the same year. If it is really the intent of the law to allow this practice until the voters finally “get it right” and approve the request, well, than why not have the General Assembly declare levy approval by fiat and save the taxpayers the expense of all these elections.

Mr. Chairman and Members of the Committee, as governmental budgets get tighter, we really need to look at some of our practices that spend tax dollars without ample justification. I believe that there is no compelling reason to continue to allow February and August special elections in Ohio, and passage of this bill will save tax dollars. Just analyze the word “special”; it has a connotation of being unique, extraordinary, considerably above the norm, possibly something only utilized in very limited circumstances. In terms of its connotation to Ohio elections, the word special is conceived as routine, usual and just a regular thing that occurs every year. I urge favorable consideration of this proposed legislation – it will save tax dollars, it will insure more collective participation of our citizenry in important decisions and it will improve voter confidence in the operation and underwriting of our governmental structures. I would be happy to answer any questions that you, Mr. Chairman, or the members may have.

